

## **CONFIDENTIAL REPORT**

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UNIVERSITY OF ILLINOIS  
AT URBANA-CHAMPAIGN



Office of Diversity, Equity, and Access  
Suite 310  
1004 South Fourth Street  
Champaign, IL 61820

August 17, 2016

**CONFIDENTIAL**

I. Summary

This matter involves allegations by a student, [REDACTED], against Professor Gary Xu, professor and former department head of East Asian Languages and Cultures (EALC), over the period from April 25, 2014 through the present. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

administrator that raised concerns that [REDACTED]

[REDACTED]

<sup>11</sup> Exhibit H.

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██████████ including communications via email, through other intermediaries, or in any other manner” during the investigation.<sup>12</sup>

██████████

██████████

██████████

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<sup>12</sup> Exhibit I. As detailed in this report, Professor Xu violated this no contact directive on multiple occasions. In particular, he permitted ██████████ to enroll in a course he was teaching during spring 2015 which, when discovered by the Director of his School and Dean of the College of Liberal Arts & Sciences, resulted in the issuance of a letter of expectations dated April 7, 2015 that again reiterated he was to have no contact with the student.

<sup>13</sup> Exhibit J.

<sup>14</sup> Exhibit A.

<sup>15</sup> Exhibit K.

<sup>16</sup> Exhibit L. Each text message exchange and image that include Chinese text is followed by a document that provides English translation of the Chinese text within the text message or image.

<sup>17</sup> Exhibit A.

**CONFIDENTIAL**

██████ written allegations, Professor Xu was placed on administrative leave pending completion of this investigation.<sup>18</sup>

1. The first step is to identify the key components of the system. This includes understanding the hardware, software, and data involved.

2. The second step is to define the requirements. This involves determining what the system needs to do and what it must be able to handle.

3. The third step is to design the system. This includes creating a detailed plan of how the system will be built and how it will be tested.

4. The fourth step is to implement the system. This involves building the system according to the design and testing it to ensure it works as intended.

5. The fifth step is to maintain the system. This involves keeping the system up-to-date and ensuring it continues to work properly over time.

\_\_\_\_\_

[REDACTED]

Finally, the investigation established by a preponderance of the evidence that Professor Xu violated, on a number of occasions, the clear, unequivocal directives he was given to have no further contact with ██████████ during the pendency of the investigation.

## II. Applicable Policies

The campus' *Sexual Misconduct* Policy prohibits all forms of sexual misconduct, which includes sexual assault, sexual exploitation, stalking, sexual harassment, dating violence, and domestic violence. Due to the nature of the allegations, this investigation considers the dating violence provision of the Policy. The Policy defines dating violence as:

“Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim, and the existence of such a relationship shall be

<sup>18</sup> Exhibit QQ.

<sup>19</sup> Exhibit M.

<sup>20</sup> Exhibit B, pages 14-64.

<sup>21</sup> Exhibit RR.

## CONFIDENTIAL

determined based on the reporting party's statement and with consideration of the length of relationship, the type of the relationship, and the frequency of the interaction between the persons involved in the relationship."<sup>22</sup>

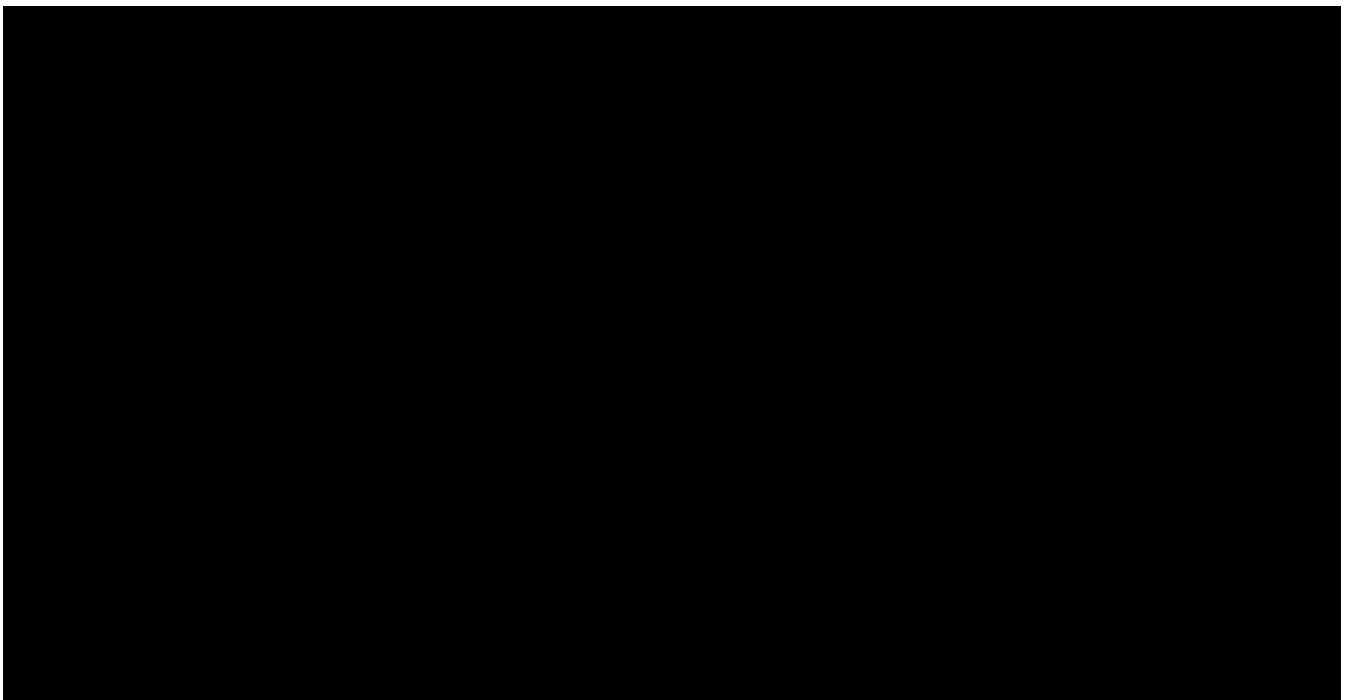
The campus' *Statement on Consenting Sexual Relationships* Policy delineated in Section 1-109 of the *Student Code* stipulates that no individual can participate in institutional or educational decisions of a person with whom that individual has or has had a sexual relationship. Where such a relationship exists, it is the responsibility of the supervising individual to notify his/her supervisor so that appropriate arrangements can be made.<sup>23</sup>

The University's *Code of Conduct* imparts a general duty on those acting on behalf of the University to conduct themselves in a manner that will maintain and strengthen the public's trust and confidence in the integrity of the University and take no actions incompatible with their obligations to the University.

This investigation uses a Preponderance of the Evidence standard in its analysis.

### III. Allegations & Responses

#### A. [REDACTED] Allegations



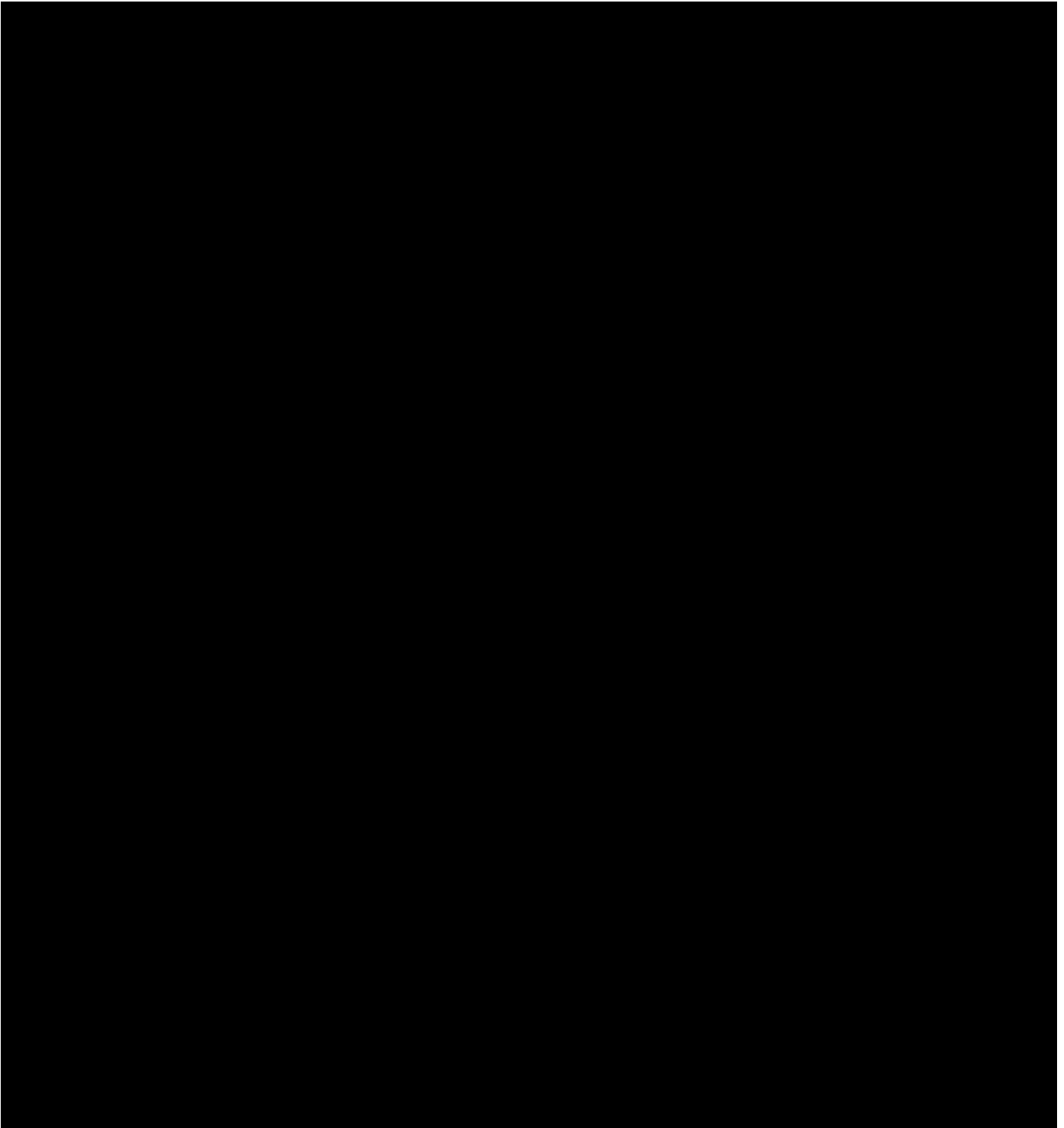
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<sup>22</sup> Exhibit N.

<sup>23</sup> Exhibit O.

<sup>24</sup> Exhibit C.

<sup>25</sup> Exhibit P.



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<sup>26</sup> Exhibit Q.

<sup>27</sup> Exhibit Q.

<sup>28</sup> Exhibit R.

<sup>29</sup> Exhibit R.

<sup>30</sup> Exhibit R.

<sup>31</sup> Exhibit R.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>32</sup> Exhibit R.

<sup>33</sup> Exhibit S.

<sup>34</sup> Exhibit D.

<sup>35</sup> Exhibit T.

<sup>36</sup> Exhibit G.

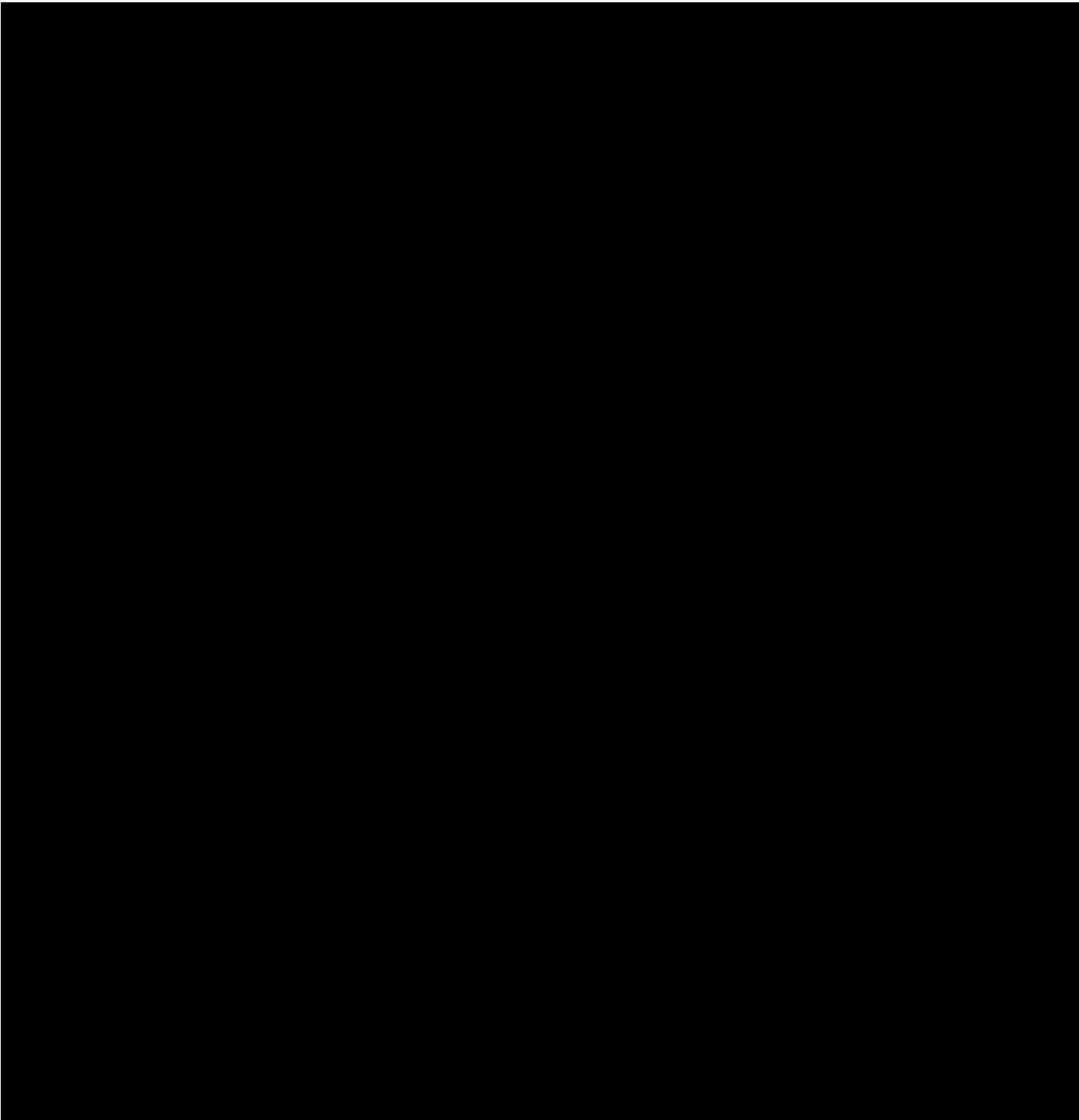
<sup>37</sup> Exhibit G.

<sup>38</sup> Exhibit U.

<sup>39</sup> Exhibit V.

<sup>40</sup> Exhibit U.





<sup>41</sup> Exhibit W

<sup>42</sup> Exhibit X.

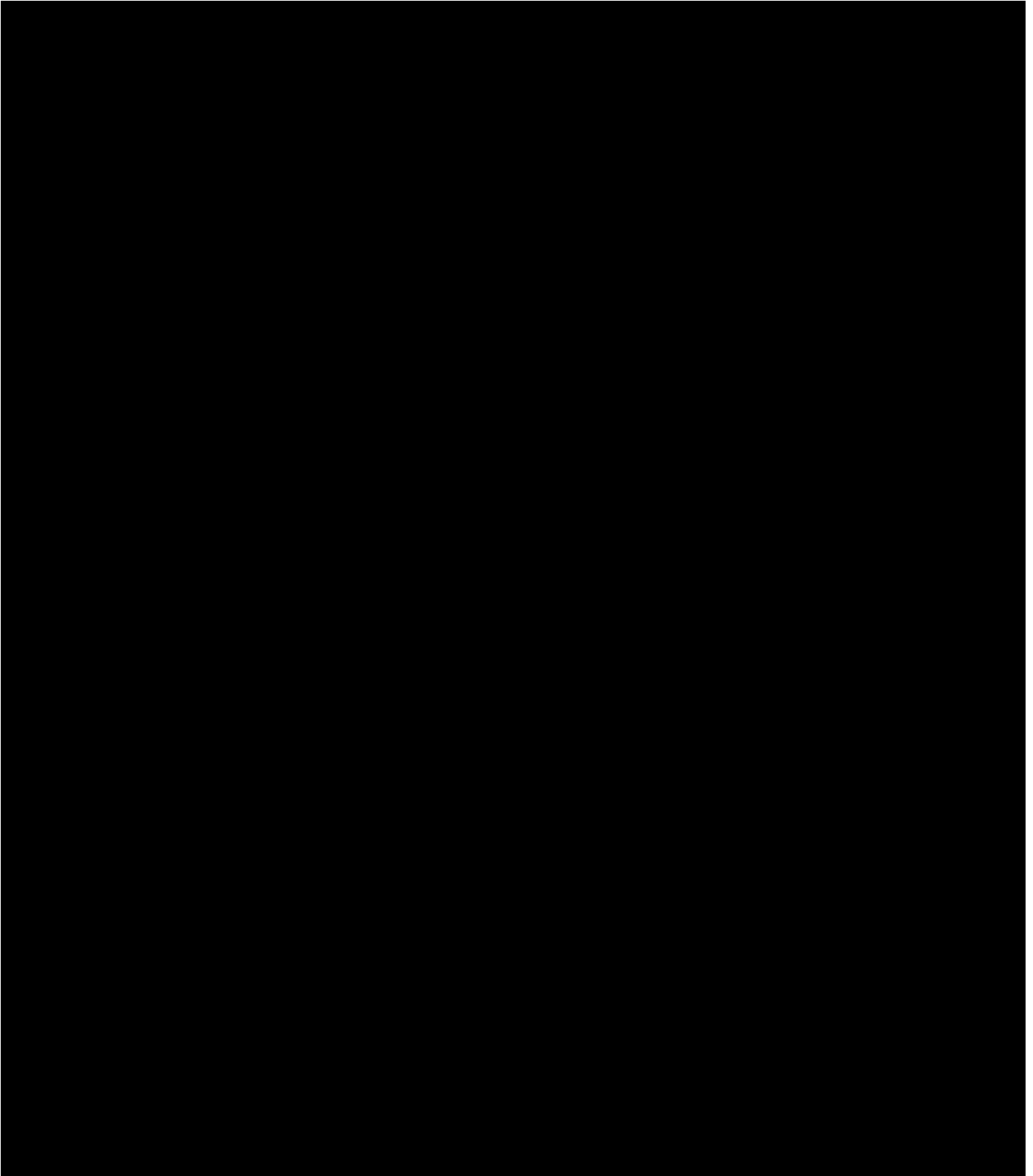
<sup>43</sup> Exhibit H.

<sup>44</sup> Exhibit H.

<sup>45</sup> Exhibit Y.

<sup>46</sup> Exhibit A.

<sup>47</sup> Exhibit Z.

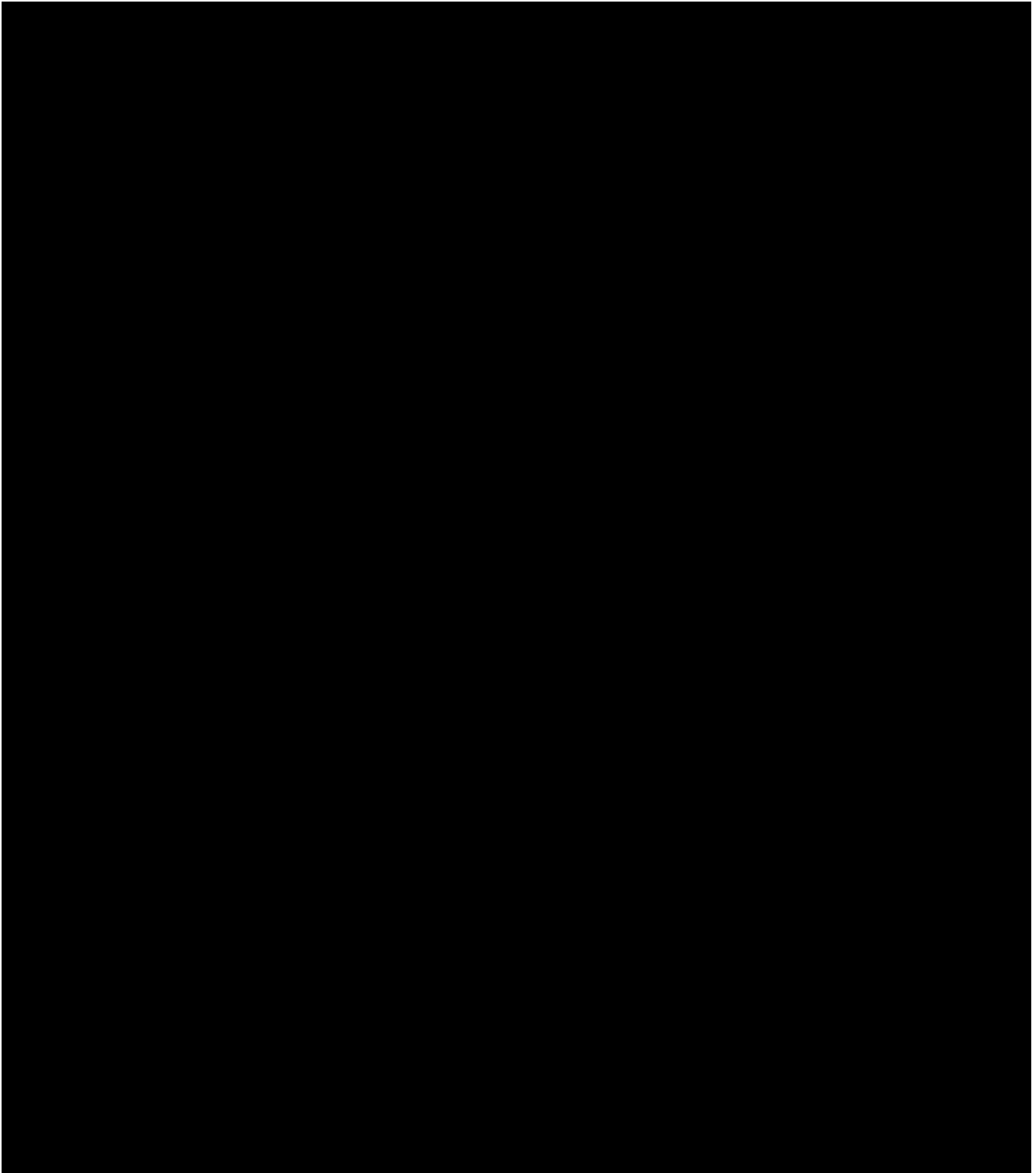


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<sup>48</sup> Exhibit Z.

<sup>49</sup> Exhibit AA.

<sup>50</sup> Exhibit K.



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<sup>51</sup> Exhibit BB.

<sup>52</sup> Exhibit CC.

<sup>53</sup> Exhibit DD

<sup>54</sup> Exhibit M.

<sup>55</sup> Exhibit EE.

<sup>56</sup> Exhibit EE.

<sup>57</sup> Exhibit RR.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

B. Gary Xu's Response to Allegations:

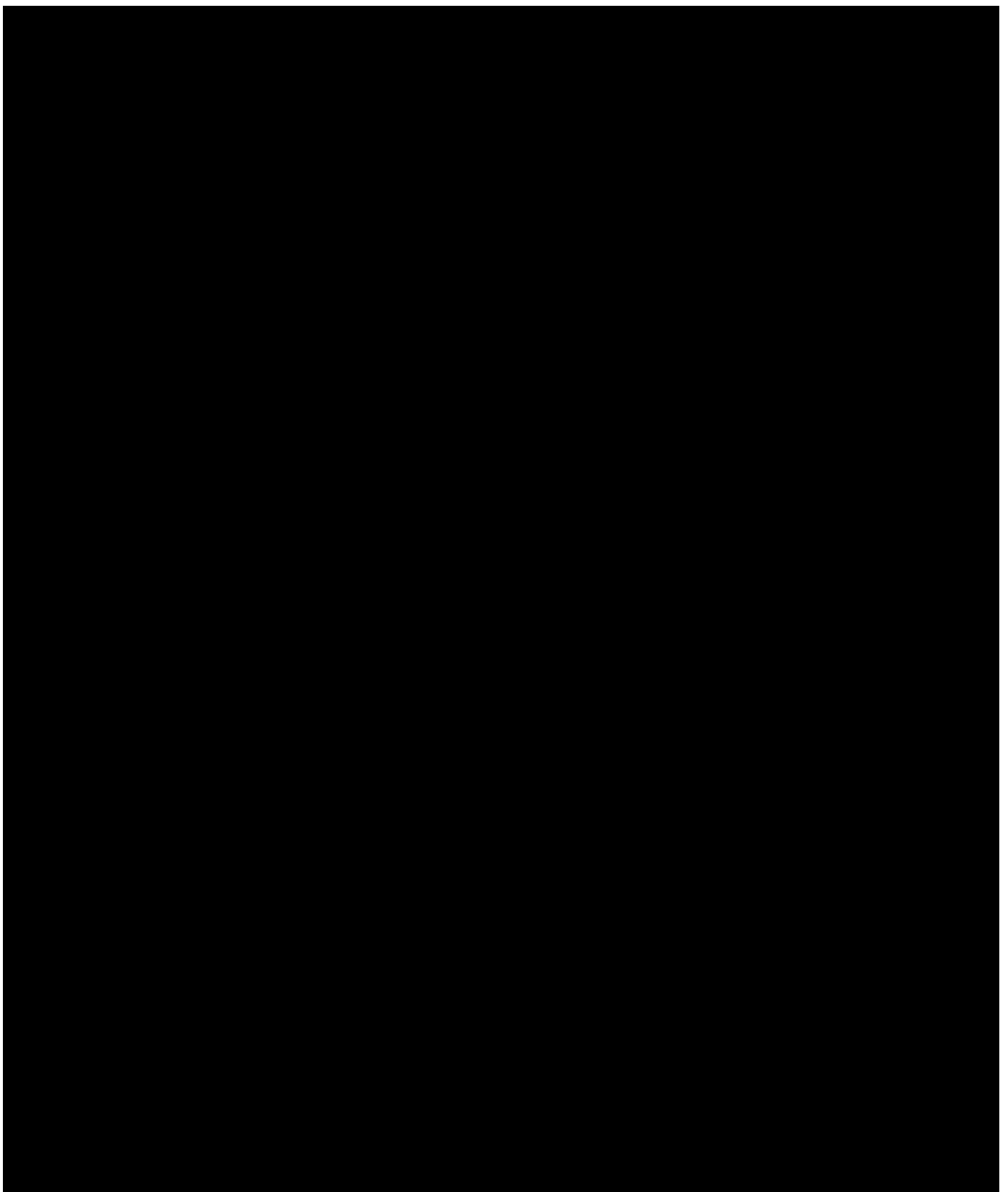
[REDACTED]

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<sup>58</sup> Exhibit RR.

<sup>59</sup> Exhibit E.

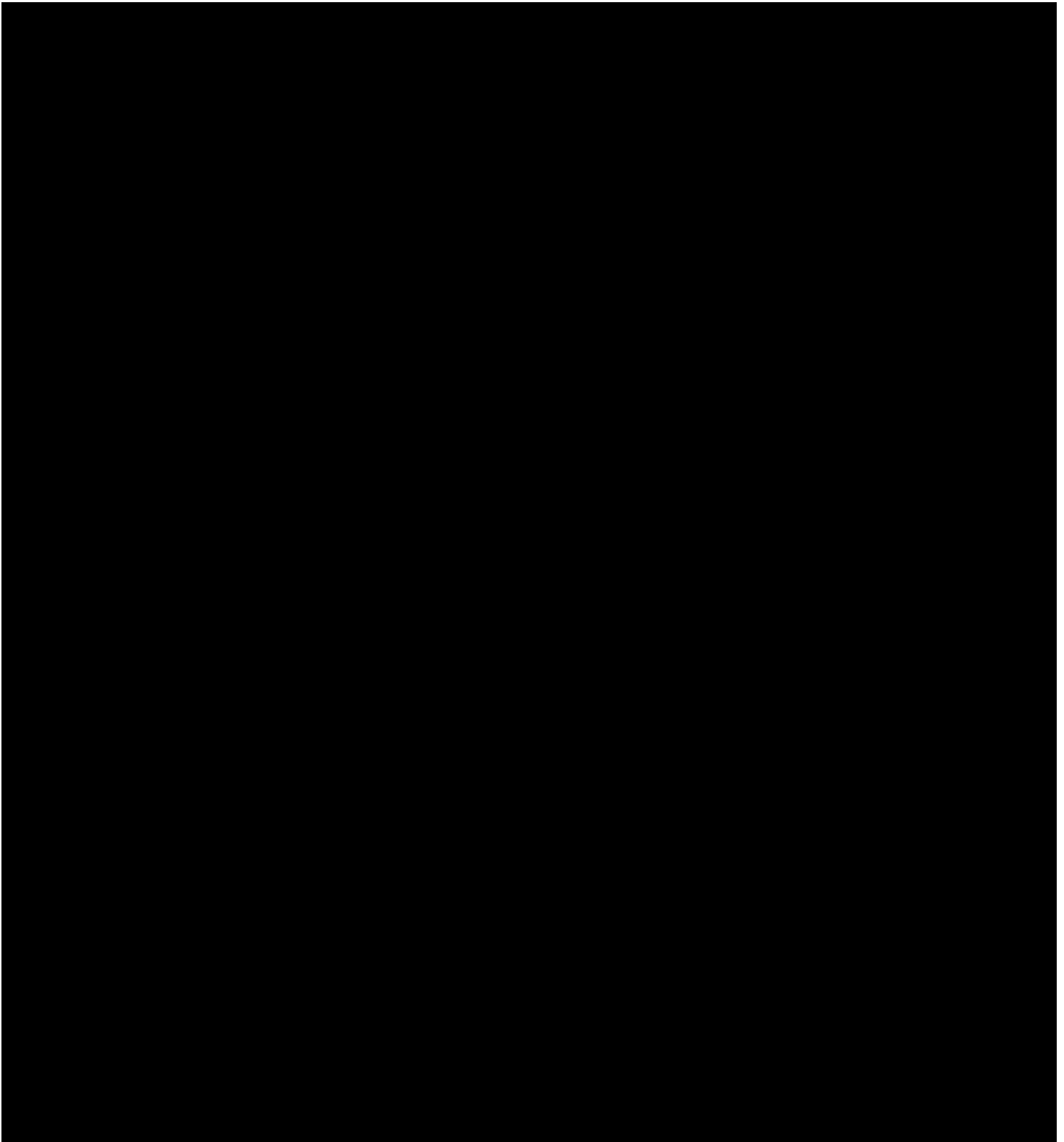
<sup>60</sup> Exhibit B.



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<sup>61</sup> Exhibit JJ.

<sup>62</sup> Exhibit B, page 17.



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<sup>63</sup> Exhibits U and X.

<sup>64</sup> Exhibit I.

<sup>65</sup> Exhibit FF.

<sup>66</sup> Exhibit GG.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

## IV. Analysis and Findings

### A. Dating Violence

The University prohibits and will not tolerate sexual misconduct, which includes sexual harassment, sexual assault, sexual exploitation, stalking, dating violence and domestic violence.<sup>67</sup> [REDACTED]

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<sup>67</sup> Exhibit K.

<sup>68</sup> Exhibit HH.

<sup>69</sup> Exhibit N.

[REDACTED]

[REDACTED]

[REDACTED]

1. Violence

[REDACTED]

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<sup>70</sup> Exhibit N.

<sup>71</sup> Exhibits A, G, and T.



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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<sup>72</sup> Exhibit F.

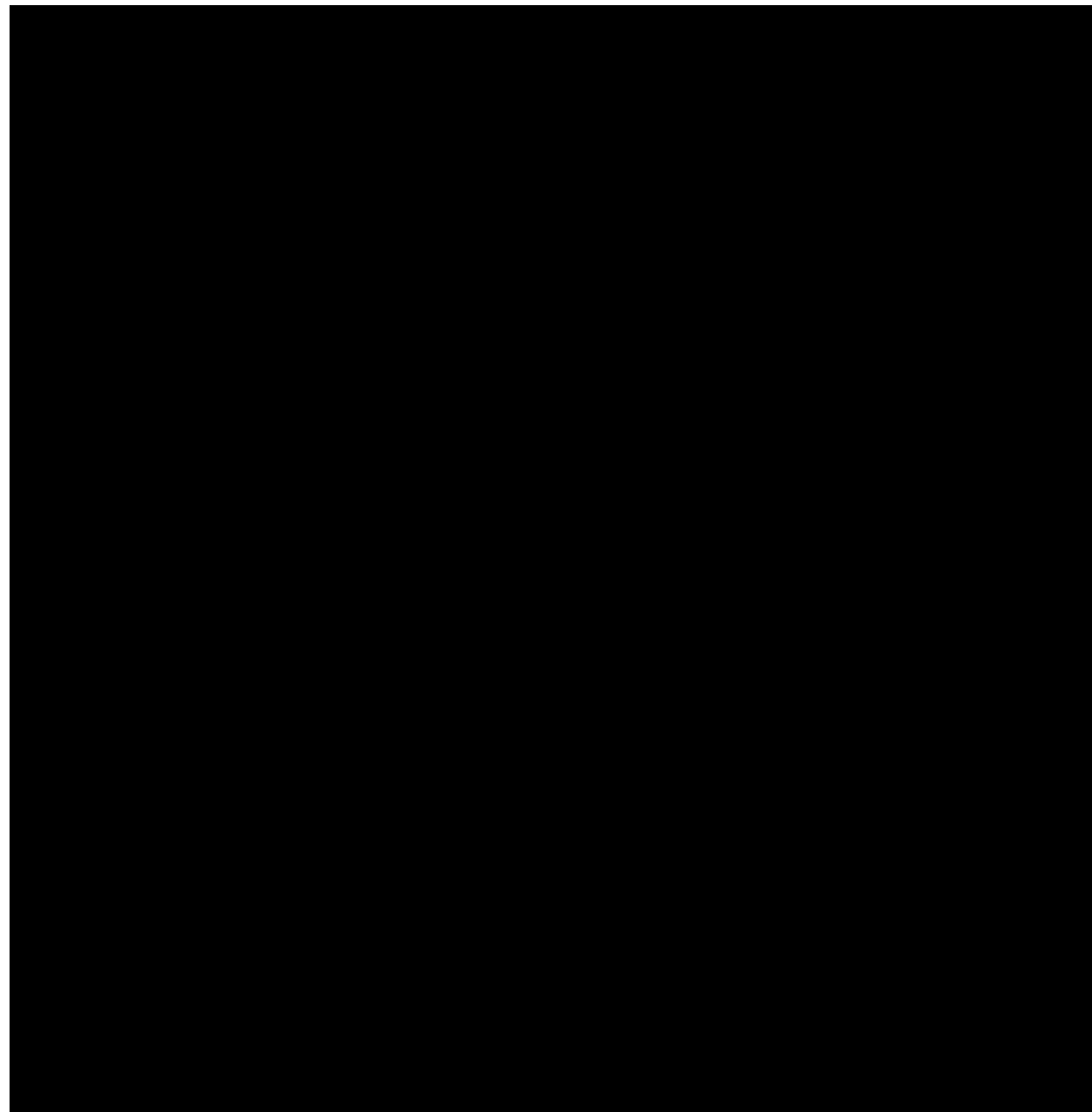
<sup>73</sup> Exhibit F and G.

<sup>74</sup> Exhibit G.

<sup>75</sup> Exhibit H.

<sup>76</sup> Exhibit II.

<sup>77</sup> Exhibit Q.



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<sup>78</sup> Exhibit T, pages 263-265.

<sup>79</sup> Exhibit T, pages 266 and 267.

<sup>80</sup> Exhibit JJ.

<sup>81</sup> Exhibit G.

<sup>82</sup> Exhibit G.

<sup>83</sup> Exhibit G.

<sup>84</sup> Exhibit G.

<sup>85</sup> Exhibit G.

<sup>86</sup> Exhibit G.

<sup>87</sup> Exhibit H.

<sup>88</sup> Exhibit J.

<sup>89</sup> Exhibit A.

2. A social relationship of a romantic or intimate nature

The Policy defines a relationship as a social relationship of a romantic or intimate nature. It establishes that the criteria that one might employ in determining whether a relationship is a romantic or intimate relationship include: the reporting party's statement, the length of the relationship, the type of the relationship, and the frequency of the interaction between the persons involved in the relationship.<sup>92</sup> A review of these criteria balanced against the evidence support the existence of a romantic and/or intimate relationship between Professor Xu and [REDACTED]

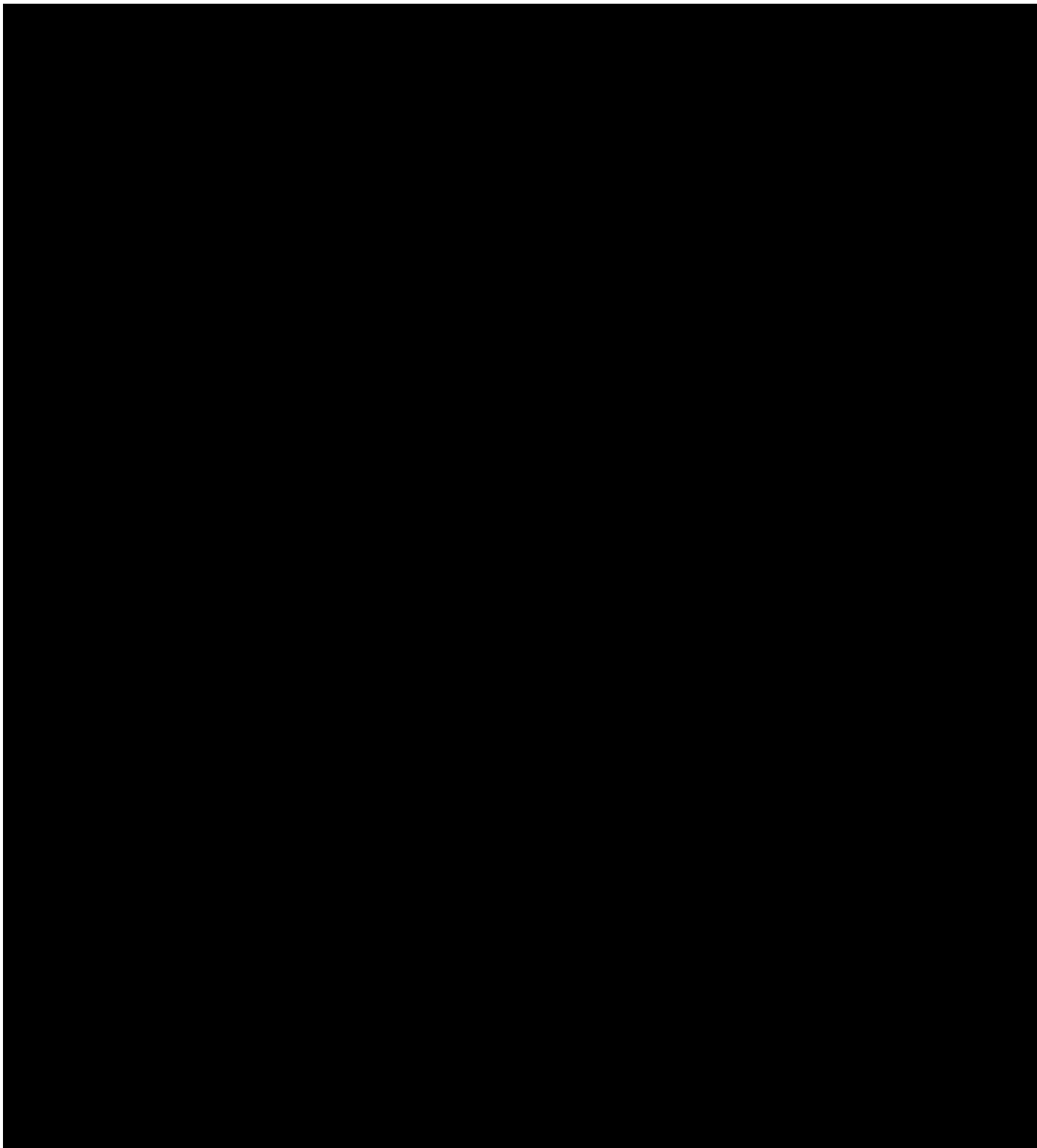
[REDACTED]

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<sup>90</sup> Exhibit G.

<sup>91</sup> Exhibits U, W, and X.

<sup>92</sup> Exhibit N.



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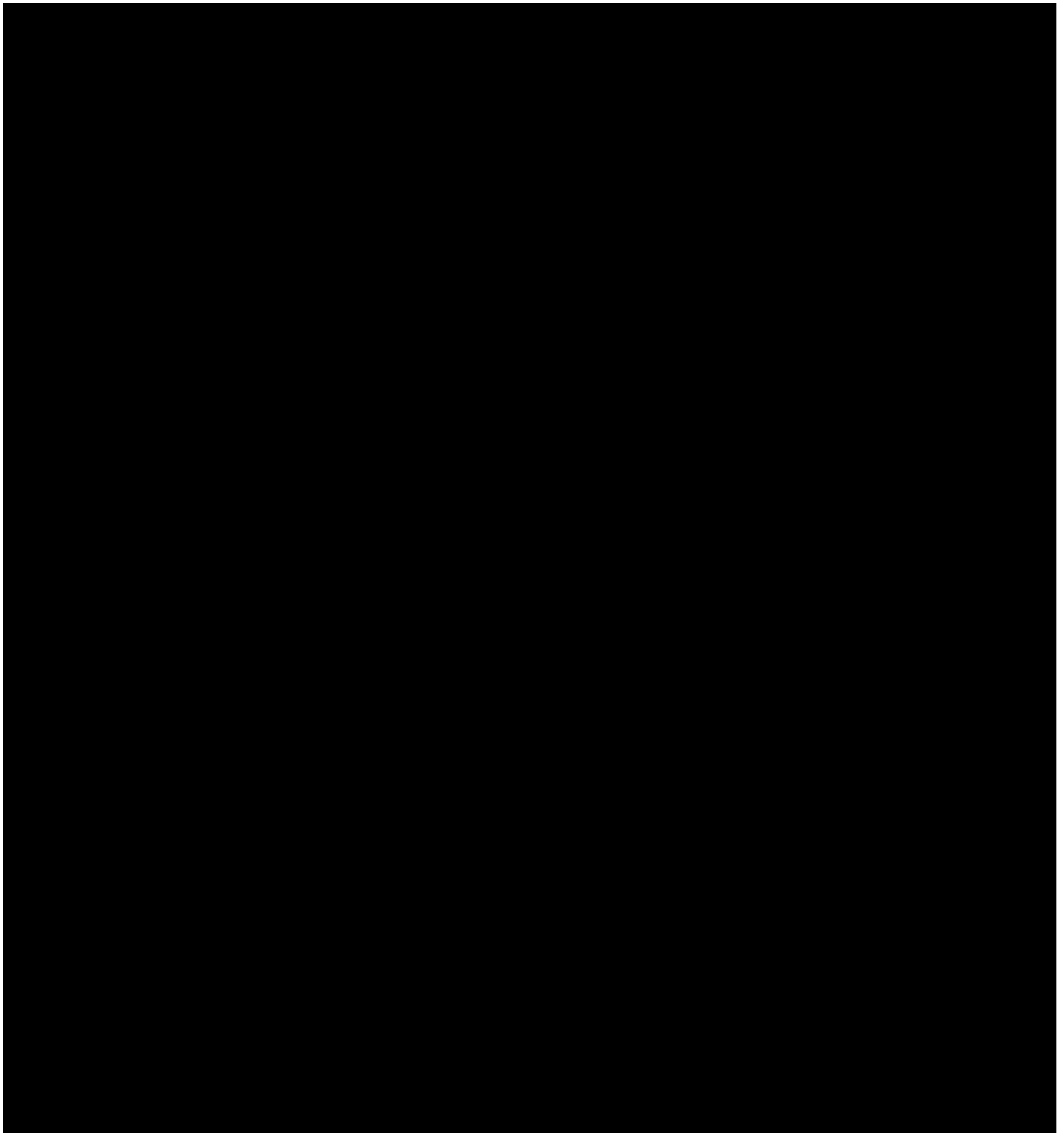
<sup>93</sup> Exhibit L.

<sup>94</sup> Exhibits L and BB.

<sup>95</sup> Exhibit LL.

<sup>96</sup> Exhibit LL.

<sup>97</sup> Exhibit L.



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<sup>98</sup> Exhibit K.

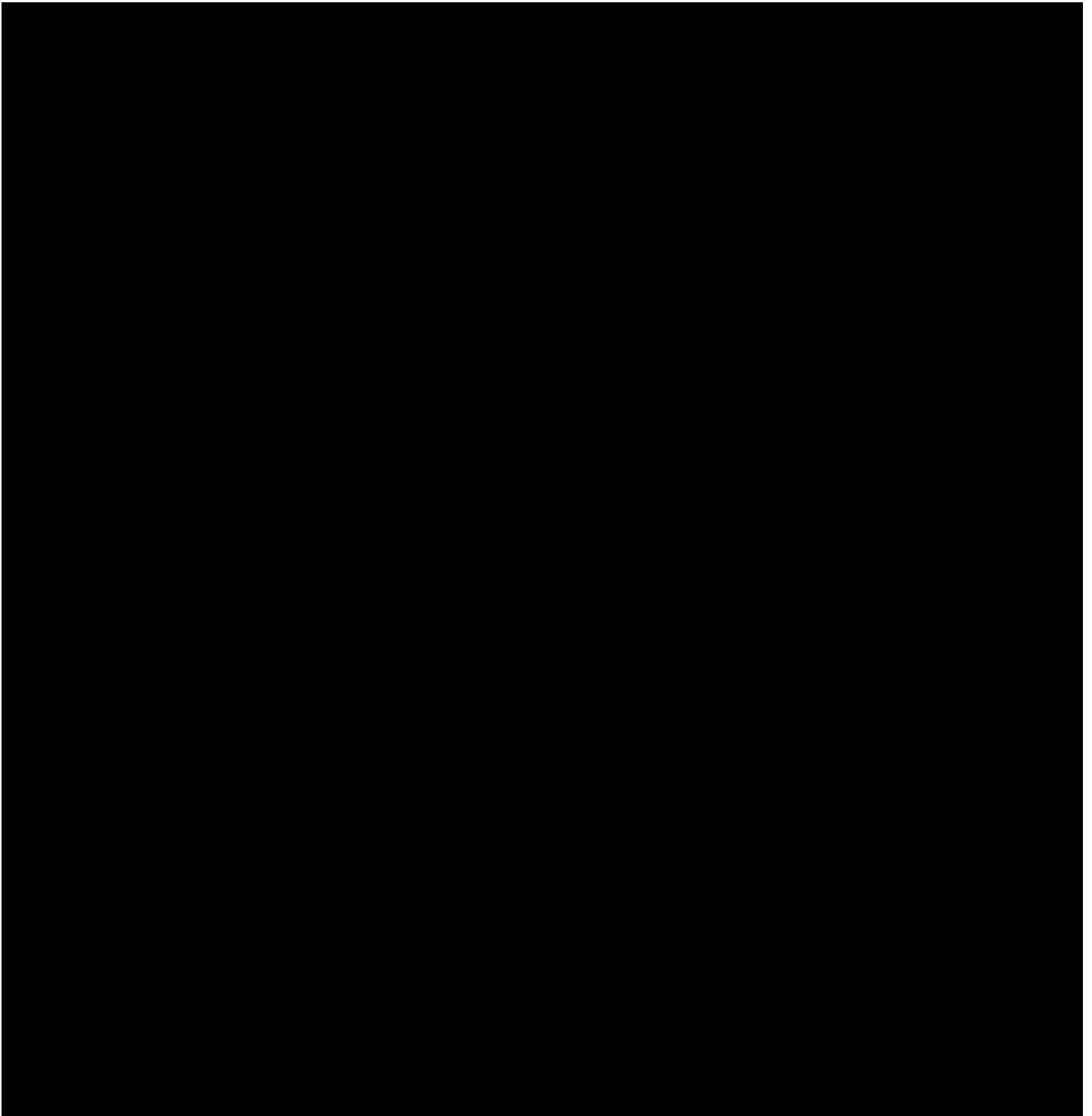
<sup>99</sup> Exhibit U.

<sup>100</sup> Exhibit KK.

<sup>101</sup> Exhibit B, page 17.

<sup>102</sup> Exhibit X.

<sup>103</sup> Exhibit MM.



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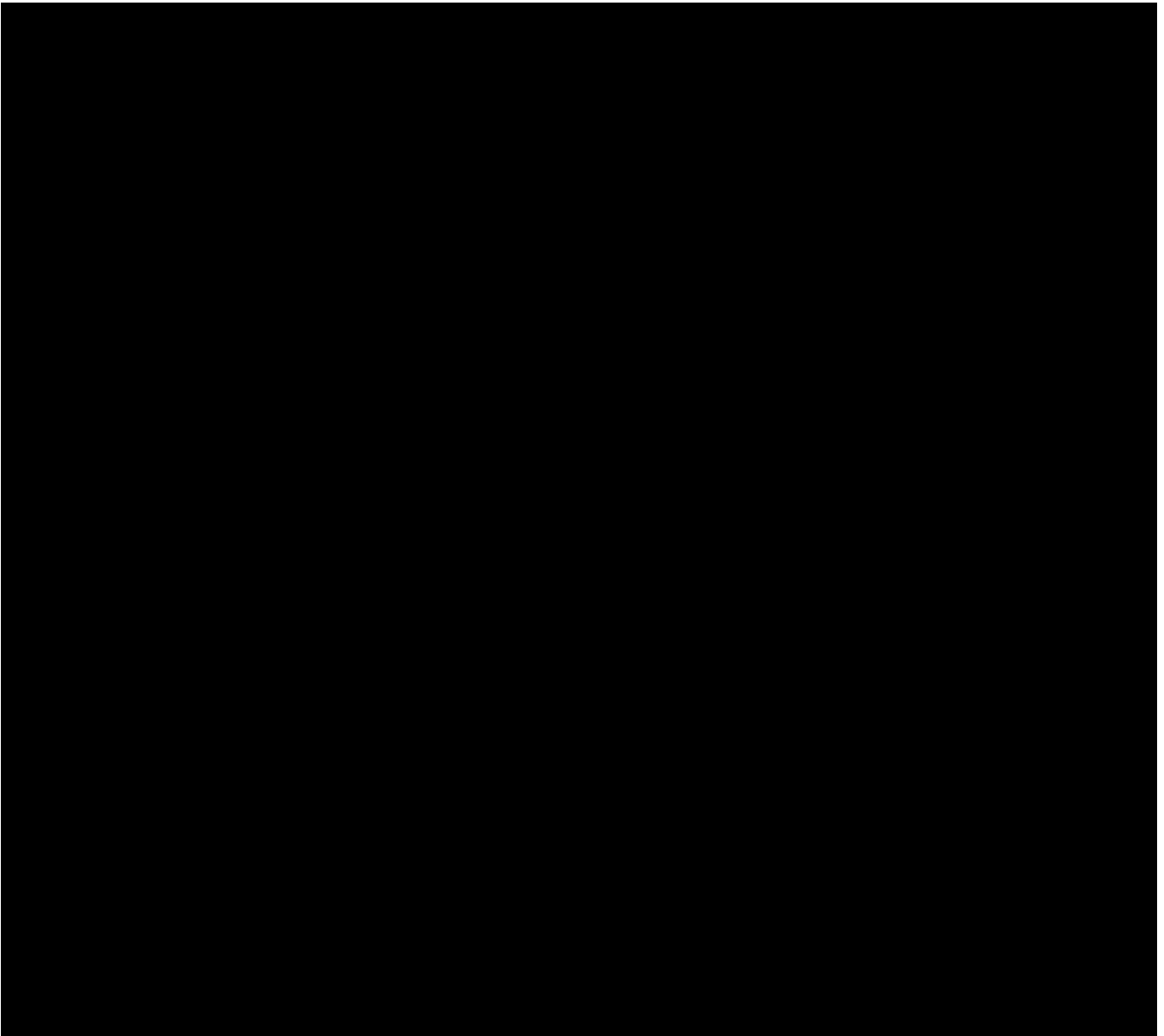
<sup>104</sup> Exhibits SS and TT.

<sup>105</sup> Note that the consumer GPS (such as the GPS capability of a personal mobile phone) provides an approximate location of the device.

<sup>106</sup> Exhibit VV.

<sup>107</sup> Exhibit VV.

<sup>108</sup> Exhibit UU.



## B. Conflict of Interest Policy

The campus' *Statement on Consenting Sexual Relationships* Policy stipulates that that no individual can participate in institutional or educational decisions of a person with whom that individual has or has had a sexual relationship. Where such a relationship exists, it is the responsibility of the supervising individual to notify his/her supervisor so that appropriate arrangements can be made.

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<sup>109</sup> Exhibit VV.

<sup>110</sup> Exhibits L (pages 216-219) and VV (page 437).

<sup>111</sup> Exhibit L.

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### 1. Participation in institutional or educational decision

[REDACTED]

### 2. Existence of a sexual relationship

[REDACTED]

[REDACTED]

This investigator therefore concludes that Professor Xu violated Section 1-109(c) of the *Student Code*, Statement on Consenting Sexual Relationships.

### C. Violation of “No Contact” Directives

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<sup>112</sup> Exhibits A and B.

<sup>113</sup> Exhibit GG.

<sup>114</sup> Exhibits A and K.

<sup>115</sup> Exhibits D, J, M, and II.

<sup>116</sup> Exhibits I, K, L, Q, S, Y, AA, GG, LL, and MM.



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As detailed above, Professor Xu was notified on multiple occasions, starting on September 15, 2014, that he was to have no contact with [REDACTED] during the pendency of the investigation in this matter. He was verbally instructed by Dean Barbara Wilson on September 15, 2014 to have no contact with [REDACTED]; he received a Notice of Charges on September 19, 2014, informing him in writing that he was to have no contact with [REDACTED];<sup>117</sup> and finally, he received a letter of expectations from Dean Wilson on April 7, 2015, noting that he had violated the No Contact directive and reiterating that it remained in place during the pendency of the investigation.<sup>118</sup> Notwithstanding this specific, certain and repeated instruction, there is clear evidence that Professor Xu repeatedly violated the No Contract directive, probably starting the very day it was first given.<sup>119</sup> In addition, he clearly violated the directive when he permitted her to enroll in a course he was teaching in the [REDACTED], on the multiple occasions he visited her apartment, when he took the photo with her in front of Sprinkles Cupcakes restaurant, traveling with her to Indiana University in July 2015, and when he assisted her in moving her belongings from one apartment to another in August 2015.<sup>120</sup>

## V. Conclusion

[REDACTED]

It is of utmost concern that Professor Xu blatantly disregarded the directives of the Dean of his College and the Office of Academic Human Resources to not have any additional contact with [REDACTED].<sup>121</sup> Professor Xu continued to communicate with [REDACTED] on a regular and ongoing basis and failed to notify the Dean of the College and/or the Director of his School when [REDACTED] enrolled in a course he was teaching.<sup>122</sup> His failure to do so demonstrates negligence in his role as a trusted administrator and as a steward of the campus.

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<sup>117</sup> Exhibit I.

<sup>118</sup> Exhibit OO.

<sup>119</sup> The inference that Professor Xu violated the No Contact directive almost immediately after it was given is based on the fact that within two days of Professor Xu first receiving the directive to have no contact with [REDACTED], [REDACTED]

[REDACTED]

<sup>121</sup> Exhibit I.

<sup>122</sup> Exhibit GG.

UNIVERSITY OF ILLINOIS  
AT URBANA-CHAMPAIGN

Department of East Asian Languages and Cultures  
2090 Foreign Languages Building  
707 South Mathews Avenue  
Urbana, IL 61801-3675



September 29, 2016

Kaamilyah Abdullah-Span, JD

Office of Diversity, Equity, and Access

Suite 100, 1004 South Fourth Street

Champaign, IL 61820

Dear Kaamilyah,

The Department of East Asian Languages and Cultures accepts the findings of fact and the conclusions of the ODEA report on the [REDACTED]/Xu Investigation. We have lost confidence and trust in Professor Xu's ability to carry out his duties as a faculty member. It is in the best interest of the University that Professor Xu resigns from his faculty position. If this is not forthcoming, we recommend that the University take action under Article 9 or 10 in disposition of this case.

Sincerely,

[REDACTED]

Robert Tierney

Head, Department of East Asian Languages and Cultures

[REDACTED]

Jean-Philippe Mathy

Director, School of Literatures, Cultures, and Linguistics

## FW: Proof of Employment - ATTY Client Privileged Work Product

Reynolds, Sharon L

**Sent:** Friday, March 17, 2017 5:02 PM

**To:** Tierney, Robert

**Cc:** Mathy, Jean-Philippe R; Bernhard, William T; Hoefer, Craig James; Reynolds, Sharon L

Dear Bob,

[REDACTED]

[REDACTED] S.

Best,  
Sharon

---DRAFT MESSAGE---

Dear Gary,

[REDACTED]

[REDACTED] ter.

Sincerely,

Bob

---

**From:** Xu, Gary Gang

**Sent:** Monday, February 27, 2017 8:22 PM

**To:** Reynolds, Sharon L

**Cc:** Mathy, Jean-Philippe R; Tierney, Robert

**Subject:** Re: Proof of Employment

Dear Sharon,

Your email made me realize that I should seek permission for attending a conference at the University of Stockholm on May 23. The conference is on Chinese literature, cinema and art in the context of world literature. I do not use the U of I funds for traveling, but can I use the U of I as my affiliation since this is still my only employment? Also, I teach on July 9 and 10 at Indiana University to high school teachers on how to teach Chinese literature. I have been leading the summer seminar for the past 8 years. Besides these two activities, I have no other engagements that ask for academic affiliations. Thanks.

Gary

Gary G. Xu, PhD  
Associate Professor  
Department of East Asian Languages and Cultures  
University of Illinois, Urbana-Champaign  
707 S. Mathews, #2090  
Urbana, IL 61801

---

**From:** "Reynolds, Sharon L" <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>  
**Date:** Monday, February 27, 2017 at 8:03 PM  
**To:** "Xu, Gary Gang" <[garyxu@uillinois.edu](mailto:garyxu@uillinois.edu)>  
**Cc:** Jean-Philippe Mathy <[jmathy@uillinois.edu](mailto:jmathy@uillinois.edu)>, "Tierney, Robert" <[rtierney@uillinois.edu](mailto:rtierney@uillinois.edu)>, "Reynolds, Sharon L" <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>  
**Subject:** RE: Proof of Employment

Dear Professor Xu,

Department Head Bob Tierney has shared with me the letter you prepared requesting verification of your employment with the University of Illinois. You explain in your email message (below) to Professor Tierney that you need "proof of employment" for [access] Chinese libraries and archives.

Effective January 1, 2016 you were placed on administrative leave pending the outcome of an investigation alleging serious acts of misconduct. The October 23, 2015 administrative leave notification to you clearly communicates, in pertinent part, that: you are not to resume your University duties; you are not to have contact with University employees, students or others regarding this matter or any other official business; and your University pay and benefits will remain unchanged. Please be notified that if you are conducting University business or engaged in non-University activities without appropriate disclosure or approval, you may be in violation of the terms of your administrative leave and the *University Policy on Conflicts of Commitment and Interest*, and thus, you may be subject to related employment action.

So that additional information on this matter can be obtained and until further notice, I remind you that the terms of your administrative leave prohibit you from conducting any business on behalf of the University or from engaging in outside activities without complying with appropriate reporting requirements.

I remain available should you have questions or comments.

Sincerely,

Sharon Reynolds

---

**From:** Xu, Gary Gang  
**Sent:** Wednesday, February 22, 2017 8:59 PM  
**To:** Tierney, Robert  
**Subject:** Proof of Employment

Dear Bob,

Several Chinese archives and libraries I am working at ask for proof of employment. I drafted a short letter on our Department letterhead. The Chinese on the letter is a rough but nevertheless accurate translation of the English text. I'd appreciate it if you could e-sign the letter and send it back to me. Please also print it out on a hardcopy and bring it to me on Friday. Thanks,

Gary

Gary G. Xu, PhD  
Associate Professor  
Department of East Asian Languages and Cultures  
University of Illinois, Urbana-Champaign  
707 S. Mathews, #2090  
Urbana, IL 61801

## **RE: Attorney Client Communication FW: Draft of letter to Gary Xu**

Tierney, Robert

**Sent:** Tuesday, September 27, 2016 9:15 PM

**To:** Mathy, Jean-Philippe R; Reynolds, Sharon L; Clower, Laura; Hoefer, Craig James

[REDACTED]

Sincerely,

Bob

Robert Tierney

Associate Professor and Head of East Asian Languages and Cultures,

Comparative and World Literatures

University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>

<http://www.ucpress.edu/book.php?isbn=9780520265783>

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From: Mathy, Jean-Philippe R

Sent: Tuesday, September 27, 2016 3:26 PM

To: Reynolds, Sharon L; Clower, Laura; Hoefer, Craig James

Cc: Tierney, Robert

Subject: RE: [REDACTED]

[REDACTED]

-----Original Message-----

From: Reynolds, Sharon L

Sent: Tuesday, September 27, 2016 12:07 PM

To: Clower, Laura; Hoefer, Craig James

Cc: Mathy, Jean-Philippe R; Tierney, Robert; Reynolds, Sharon L

Subject: [REDACTED]

Dear All,

[REDACTED]

Best,

Sharon Reynolds

-----Original Message-----

From: Clower, Laura

Sent: Tuesday, September 27, 2016 8:42 AM

To: Hoefer, Craig James; Reynolds, Sharon L

Cc: Mathy, Jean-Philippe R; Tierney, Robert

Subject: [REDACTED]

Dear Bob and Jean-Philippe:

[REDACTED]

Best,

Laura

Laura D. Clower, JD | Senior Associate University Counsel | Office of University Counsel | University of Illinois at Urbana-Champaign | 258 Henry Administration Building, MC-340 | 506 South Wright Street | Urbana, Illinois 61801 | Vox: 217.333.0560 | Fax: 217.244.2370 | clower@uillinois.edu

Confidential Communication. The information contained in this message may be privileged and/or confidential and protected from disclosure.

-----Original Message-----

From: Tierney, Robert  
Sent: Monday, September 26, 2016 5:25 PM  
To: Mathy, Jean-Philippe R; Clower, Laura  
Subject: RE: [REDACTED]

Dear Laura and Jean-Philippe,

[REDACTED]

I

Sincerely,

Bob  
Robert Tierney  
Associate Professor and Head of East Asian Languages and Cultures, Comparative and World Literatures University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>  
<http://www.ucpress.edu/book.php?isbn=9780520265783>

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From: Mathy, Jean-Philippe R  
Sent: Wednesday, September 21, 2016 12:34 PM  
To: Abdullah-Span, Kaamilyah  
Cc: Clower, Laura; Tierney, Robert; Hoefer, Craig James; Reynolds, Sharon L  
Subject: [REDACTED]

Dear Kaamilyah,

[REDACTED]

Best,

Jean-Philippe

## RE: Deadline for Notice of Non-Reappointments

Tierney, Robert

**Sent:** Wednesday, June 14, 2017 6:05 PM

**To:** Reynolds, Sharon L

**Cc:** Hoefer, Craig James

Dear Sharon,

Thanks for letting me know.

Best,

Bob

Robert Tierney  
Professor and Head of East Asian Languages and Cultures,  
Comparative and World Literatures  
University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>  
<http://www.ucpress.edu/book.php?isbn=9780520265783>  
<https://kpfa.org/episode/against-the-grain-august-31-2016/>

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**From:** Reynolds, Sharon L

**Sent:** Wednesday, June 14, 2017 3:17 PM

**To:** Tierney, Robert

**Cc:** Hoefer, Craig James; Reynolds, Sharon L

**Subject:** RE: Deadline for Notice of Non-Reappointments

Good Afternoon Bob,

I understand Dr. Xu will effectively resign under the terms of the resignation agreement which includes a waiver of his tenure rights. Therefore, no action is needed relative to this announcement. Thank you for reaching out.

Sharon

---

**From:** Tierney, Robert

**Sent:** Wednesday, June 14, 2017 12:20 AM

**To:** Reynolds, Sharon L

**Subject:** FW: Deadline for Notice of Non-Reappointments

Dear Sharon,

I was sent this mail today, and was wondering whether I need to do anything in the case of Gary Xu. Martin



Camargo contacted me to tell me that Gary's separation agreement had been finalized. I have not seen this document, however, and am uncertain about whether I need to send a notice of non-appointment. I would appreciate your advice in this matter.

Sincerely,

Bob

Robert Tierney  
Professor and Head of East Asian Languages and Cultures,  
Comparative and World Literatures  
University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>

<http://www.ucpress.edu/book.php?isbn=9780520265783>

<https://kpfa.org/episode/against-the-grain-august-31-2016/>

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**From:** Associate Provost for Human Resources [No\_Reply\_HR@uillinois.edu]

**Sent:** Tuesday, June 13, 2017 2:40 PM

**To:** Tierney, Robert

**Subject:** Deadline for Notice of Non-Reappointments

[Click  
here  
to  
see  
this  
online](#)

TO: All Human Resource Contacts  
FROM: Elyne G. Cole  
Associate Provost for Human Resources  
DATE: June 13, 2017  
RE: Deadline for Notice of Non-Reappointments

I write to remind you of the deadlines that will ensure that proper notice is given to employees when the intent is to issue a terminal year contract for AY17-18.

**Notice of Nonreappointment for probationary faculty:**

If you have not already done so, please immediately forward to Bill Bernhard, Vice Provost for Academic Affairs, copies of letters to probationary faculty who should receive a Notice of Nonreappointment for Academic Year 2017-18 (Bill Bernhard, Office of the Provost, Swanlund Administration Building, MC-304).

**Notice of Nonreappointment for academic professionals and notice-eligible specialized faculty:**

A twelve-month notice period is required for:

1. Permanent (non-visiting) academic professionals whose full-time service to the University is more than four years and who are paid from state funds or other accounts considered "hard" funds.
2. Permanent academic professionals whose full-time service to the University is at least ten years, and whose current Notification of Appointment indicates that "...employment and payment is contingent upon receipt of funds for the project on which you are assigned."
3. Full-time clinical associates, teaching associates, research associates (including post-doctoral research associates), and research faculty A) paid completely from state accounts or other accounts considered "hard" funds, and B) less than six months away from their Notification of Appointment end dates.

**Academic Human Resources (AHR) must be**

**[ihr@illinois.edu](mailto:ihr@illinois.edu) • <http://humanresources.illinois.edu>**

## RE: Draft of letter to Gary Xu

Tierney, Robert

**Sent:** Monday, September 26, 2016 5:24 PM

**To:** Mathy, Jean-Philippe R; Clower, Laura

**Attachments:** [REDACTED]

Dear Laura and Jean-Philippe,

[REDACTED]

Sincerely,

Bob

Robert Tierney

Associate Professor and Head of East Asian Languages and Cultures,

Comparative and World Literatures

University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>

<http://www.ucpress.edu/book.php?isbn=9780520265783>

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From: Mathy, Jean-Philippe R

Sent: Wednesday, September 21, 2016 12:34 PM

To: Abdullah-Span, Kaamilyah

Cc: Clower, Laura; Tierney, Robert; Hoefer, Craig James; Reynolds, Sharon L

Subject: [REDACTED]

Dear Kaamilyah,

[REDACTED]

Best,

Jean-Philippe

Galvin, Katherine C

**Sent:** Friday, October 14, 2016 12:11 PM

**To:** Tierney, Robert

**Cc:** Callaway, Mary A

Great. I'll call at 1.

Sent from my iPhone

On Oct 14, 2016, at 11:34 AM, Tierney, Robert <[rtierney@illinois.edu](mailto:rtierney@illinois.edu)> wrote:

Dear Katherine,

Thanks for getting back to me, and 1 o'clock will work. My cell number is [REDACTED], and my office number is 333-8879. I am on campus running a conference today, but I will be in my office at 1.

all the best,

Bob

Robert Tierney  
Associate Professor and Head of East Asian Languages and Cultures,  
Comparative and World Literatures  
University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>

<http://www.ucpress.edu/book.php?isbn=9780520265783>

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**From:** Galvin, Katherine C

**Sent:** Friday, October 14, 2016 10:32 AM

**To:** Tierney, Robert

**Cc:** Callaway, Mary A

**Subject:** Re: [REDACTED]

Bob,

Glad to help. Would a call around 1pm today work for you? If so, please send me your number and I'll give you a call. Could make later times work if you don't mind talking to me while on drive (using Bluetooth, but sometimes there is road noise)

Thanks,  
Katherine

Sent from my iPhone

On Oct 14, 2016, at 9:35 AM, Tierney, Robert <[rtierney@illinois.edu](mailto:rtierney@illinois.edu)> wrote:

Dear Katherine,

Thanks very much for suggesting our next steps. Kaamilyah and I have both informed Gary Xu about the appeal procedures. If you would be available in the afternoon, I have a few other questions about this case that I would like to talk to you about.

Sincerely,

Bob Tierney

Robert Tierney  
Associate Professor and Head of East Asian Languages and Cultures,  
Comparative and World Literatures  
University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>

<http://www.ucpress.edu/book.php?isbn=9780520265783>

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**From:** Ross, Brian H

**Sent:** Friday, October 14, 2016 6:15 AM

**To:** Feser, Edward; Clower, Laura; Galvin, Katherine C; Abdullah-Span, Kaamilyah; Reynolds, Sharon L; Hoefer, Craig James; Johnson, Heidi

**Cc:** Tierney, Robert; Camargo, Martin; Benmamoun, Elabbas; Mathy, Jean-Philippe R; Kempfues, Debbie A; Callaway, Mary A; Ross, Brian H

**Subject:** Re: [REDACTED]

[REDACTED]  
Brian

Brian H. Ross  
Executive Associate Dean  
College of Liberal Arts and Sciences  
University of Illinois  
217 333 0817

---

**From:** <Feser>, Edward Feser <[feser@illinois.edu](mailto:feser@illinois.edu)>

**Date:** Thursday, October 13, 2016 at 11:18 PM

**To:** Laura Clower <[clower@Uillinois.edu](mailto:clower@Uillinois.edu)>, Katherine Galvin <[kagalvin@illinois.edu](mailto:kagalvin@illinois.edu)>, Kaamilyah Abdullah-Span <[kabdulla@illinois.edu](mailto:kabdulla@illinois.edu)>, Sharon Reynolds <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>, "Hoefer, Craig James" <[choefer@uillinois.edu](mailto:choefer@uillinois.edu)>, Heidi Johnson <[johnso19@illinois.edu](mailto:johnso19@illinois.edu)>

**Cc:** "Tierney, Robert" <[rtierney@illinois.edu](mailto:rtierney@illinois.edu)>, Martin Camargo <[mcamargo@illinois.edu](mailto:mcamargo@illinois.edu)>, Elabbas Benmamoun <[benmamou@illinois.edu](mailto:benmamou@illinois.edu)>, Jean-Philippe Mathy <[jmathy@illinois.edu](mailto:jmathy@illinois.edu)>, Brian Ross <[bhross@illinois.edu](mailto:bhross@illinois.edu)>, "Kempfues, Debbie A" <[dkempfue@illinois.edu](mailto:dkempfue@illinois.edu)>, "Callaway, Mary A" <[mabrown5@illinois.edu](mailto:mabrown5@illinois.edu)>

**Subject:** [REDACTED]

[REDACTED]

---

**From:** Clower, Laura  
**Sent:** Thursday, October 13, 2016 6:10 PM  
**To:** Galvin, Katherine C <[kagalvin@illinois.edu](mailto:kagalvin@illinois.edu)>; Abdullah-Span, Kaamilyah <[kabdulla@illinois.edu](mailto:kabdulla@illinois.edu)>; Reynolds, Sharon L <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>; Hoefer, Craig James <[choefer@uillinois.edu](mailto:choefer@uillinois.edu)>; Johnson, Heidi <[johnso19@illinois.edu](mailto:johnso19@illinois.edu)>  
**Cc:** Tierney, Robert <[rtierney@illinois.edu](mailto:rtierney@illinois.edu)>; Camargo, Martin <[mcamargo@illinois.edu](mailto:mcamargo@illinois.edu)>; Benmamoun, Elabbas <[benmamou@illinois.edu](mailto:benmamou@illinois.edu)>; Mathy, Jean-Philippe R <[jmathy@illinois.edu](mailto:jmathy@illinois.edu)>; Ross, Brian H <[bhross@illinois.edu](mailto:bhross@illinois.edu)>; Feser, Edward <[feser@illinois.edu](mailto:feser@illinois.edu)>; Kempfues, Debbie A <[dkempfue@illinois.edu](mailto:dkempfue@illinois.edu)>; Callaway, Mary A <[mabrown5@illinois.edu](mailto:mabrown5@illinois.edu)>  
**Subject:** [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

LDC

Laura D. Clower, JD  
Office of University Counsel  
University of Illinois  
258 Henry Administration Building  
506 South Wright Street  
Urbana, IL 61801  
217.333.0560  
[clower@uillinois.edu](mailto:clower@uillinois.edu)

---

**From:** Galvin, Katherine C  
**Sent:** Thursday, October 13, 2016 5:49 PM  
**To:** Clower, Laura; Abdullah-Span, Kaamilyah; Reynolds, Sharon L; Hoefer, Craig James; Johnson, Heidi  
**Cc:** Tierney, Robert; Camargo, Martin; Benmamoun, Elabbas; Mathy, Jean-Philippe R; Ross, Brian H; Feser, Edward; Kempfues, Debbie A; Callaway, Mary A  
**Subject:** [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Katherine

---

**From:** Galvin, Katherine C  
**Sent:** Thursday, October 13, 2016 10:28 AM  
**To:** Clower, Laura <[clower@Uillinois.edu](mailto:clower@Uillinois.edu)>; Abdullah-Span, Kaamilyah <[kabdulla@illinois.edu](mailto:kabdulla@illinois.edu)>;

Reynolds, Sharon L <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>; Hoefer, Craig James <[choefer@uillinois.edu](mailto:choefer@uillinois.edu)>  
**Cc:** Tierney, Robert <[rtierney@uillinois.edu](mailto:rtierney@uillinois.edu)>; Camargo, Martin <[mcamargo@uillinois.edu](mailto:mcamargo@uillinois.edu)>;  
Benmamoun, Elabbas <[benmamou@uillinois.edu](mailto:benmamou@uillinois.edu)>; Mathy, Jean-Philippe R  
<[jmathy@uillinois.edu](mailto:jmathy@uillinois.edu)>; Ross, Brian H <[bhross@uillinois.edu](mailto:bhross@uillinois.edu)>; Feser, Edward  
<[feser@uillinois.edu](mailto:feser@uillinois.edu)>; Kemphues, Debbie A <[dkemphue@uillinois.edu](mailto:dkemphue@uillinois.edu)>  
**Subject:** [REDACTED]  
[REDACTED]n

Dear all,

[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
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[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]

I [REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]  
[REDACTED]



[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Thanks all,  
Katherine

---

**From:** Clower, Laura  
**Sent:** Thursday, October 13, 2016 9:41 AM  
**To:** Abdullah-Span, Kaamilyah <[kabdulla@illinois.edu](mailto:kabdulla@illinois.edu)>; Reynolds, Sharon L <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>; Hoefer, Craig James <[choefer@uillinois.edu](mailto:choefer@uillinois.edu)>  
**Cc:** Galvin, Katherine C <[kagalvin@illinois.edu](mailto:kagalvin@illinois.edu)>  
**Subject:** [REDACTED]

PRIVILEGED AND CONFIDENTIAL

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

LDC

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**From:** Abdullah-Span, Kaamilyah  
**Sent:** Wednesday, October 12, 2016 6:48 PM  
**To:** Clower, Laura; Reynolds, Sharon L; Hoefer, Craig James  
**Subject:** [REDACTED]

Hello All,

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

KAS

---

**From:** Clower, Laura

**Sent:** Wednesday, October 12, 2016 6:34 PM

**To:** Reynolds, Sharon L <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>; Hoefer, Craig James <[choefer@uillinois.edu](mailto:choefer@uillinois.edu)>; Abdullah-Span, Kaamilyah <[kabdulla@uillinois.edu](mailto:kabdulla@uillinois.edu)>

**Subject:** [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

LDC

LDC

Laura D. Clower, JD  
Office of University Counsel  
University of Illinois  
258 Henry Administration Building  
506 South Wright Street  
Urbana, IL 61801  
217.333.0560  
[clower@uillinois.edu](mailto:clower@uillinois.edu)

---

**From:** Reynolds, Sharon L

**Sent:** Wednesday, October 12, 2016 5:59 PM

**To:** Clower, Laura; Hoefer, Craig James; Abdullah-Span, Kaamilyah

**Subject:** [REDACTED]

All,

[REDACTED]  
[REDACTED]  
[REDACTED]

Sharon

“The decision of the Department of East Asian Languages and Cultures communicated to you on October 3, 2016 was based on the investigative report issued by the Office of Diversity, Equity and Access and was made after appropriate consultation. In accordance with the *Policy and Procedures for Addressing Harassment and Discrimination at the University of Illinois at Urbana-Champaign*, a complainant or respondent may file an appeal of the disposition in writing to <insert appeal agent.> To be timely, the appeal must be received by <insert date.>”

---

**From:** Clower, Laura

**Sent:** Friday, October 07, 2016 6:05 PM

**To:** Tierney, Robert; Abdullah-Span, Kaamilyah

**Cc:** Mathy, Jean-Philippe R; Hoefer, Craig James; Reynolds, Sharon L

**Subject:** [REDACTED]

Dear Bob:

[REDACTED]

Best,

Laura

Laura D. Clower, JD  
Office of University Counsel  
University of Illinois  
258 Henry Administration Building  
506 South Wright Street  
Urbana, IL 61801  
217.333.0560  
[clower@uillinois.edu](mailto:clower@uillinois.edu)

---

**From:** Tierney, Robert  
**Sent:** Friday, October 07, 2016 4:44 PM  
**To:** Abdullah-Span, Kaamilyah; Clower, Laura  
**Cc:** Mathy, Jean-Philippe R  
**Subject:** [REDACTED]

Dear Laura and Kaamilyah,

[REDACTED]

Sincerely,

Bob  
Robert Tierney  
Associate Professor and Head of East Asian Languages and Cultures,  
Comparative and World Literatures  
University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>  
<http://www.ucpress.edu/book.php?isbn=9780520265783>

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**From:** Xu, Gary Gang  
**Sent:** Friday, October 07, 2016 4:45 AM  
**To:** Tierney, Robert  
**Cc:** Mathy, Jean-Philippe R  
**Subject:** Re: EALC/ SLCL response to ODEA report

Dear Bob,

Since the letter is not directly addressed to me, I do not quite know how to respond. I guess I will wait for the University officials to make a move. But I'd like you to clarify several facts if you can: 1. If you agree with the investigative report, then I am only guilty of the third out of the three accusations, which is to keep in touch with the student after I was told not to. On what ground does the alleged violation warrant the dismissal of a tenured professor? 2. Whose decision is this? Yours and Jean-Philips? Or of the SLCL's executive committee? Or of the EALC's advisory committee? Whom do I talk to if I am to appeal the decision? 3. What do you mean that you "have lost confidence and trust" in my ability to carry out my duties as a faculty member? What parts of my record indicate my "inability"? In teaching, research, or administration?

I am extremely disappointed to read your message. Please make clarifications so that I can decide on my next step of action. Thank you.

Gary  
Gary G. Xu  
Associate Professor  
Department of East Asian Languages and Cultures  
University of Illinois, Urbana-Champaign  
707 S. Mathews, #2090  
Urbana, IL 61801

---

**From:** "Tierney, Robert" <[rtierney@illinois.edu](mailto:rtierney@illinois.edu)>  
**Date:** Monday, October 3, 2016 at 10:01 PM  
**To:** "Xu, Gary Gang" <[garyxu@illinois.edu](mailto:garyxu@illinois.edu)>, "Abdullah-Span, Kaamilyah" <[kabdulla@illinois.edu](mailto:kabdulla@illinois.edu)>, Jean-Philippe Mathy <[jmathy@illinois.edu](mailto:jmathy@illinois.edu)>  
**Cc:** "Benmamoun, Elabbas" <[benmamou@illinois.edu](mailto:benmamou@illinois.edu)>, "Reynolds, Sharon L" <[sreynlds@uillinois.edu](mailto:sreynlds@uillinois.edu)>, "Ross, Brian H" <[bhross@illinois.edu](mailto:bhross@illinois.edu)>, "Wilson, Barbara Jan" <[bjwilson@uillinois.edu](mailto:bjwilson@uillinois.edu)>, "Clower, Laura" <[clower@Uillinois.edu](mailto:clower@Uillinois.edu)>  
**Subject:** RE: [REDACTED]

Dear Gary,

I am attaching the EALC/SLCL response to the ODEA investigative report.

Sincerely,

Bob

Robert Tierney  
Associate Professor and Head of East Asian Languages and Cultures,  
Comparative and World Literatures

University of Illinois at Urbana Champaign

<http://www.ucpress.edu/book.php?isbn=9780520286344>

<http://www.ucpress.edu/book.php?isbn=9780520265783>

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Date Completed 4/25/14

Page 1 of 1  
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**APR 25 2014**

## SEXUAL HARASSMENT INCIDENT REPORT FORM

Use this form to report incidents of sexual harassment (including sexual assault, sexual violence, and other sexual misconduct) and other incidents that may invoke Title IX. To learn more about what constitutes sexual harassment and/or a Title IX violation, please review the University's *Policy and Procedures for Addressing Discrimination and Harassment* at [diversity.illinois.edu](http://diversity.illinois.edu) or contact the Office of Diversity, Equity and Access at (217) 333-0885. **This form should be completed and submitted to ODEA immediately.**

### Incident Information:

Person Reporting (Name, Title, Contact, and Relationship to Parties):

[Redacted]

Names of Parties Involved (Alleged Victim, Alleged Respondent, Witnesses, Other):

Gary G. Xu - Alleged Respondent

[Redacted]

Description of Incident (Detailed Account of Incident(s), Date(s)/Time(s) of Occurrence(s), Location(s), University Affiliation (student, staff, faculty, alumni), Other). Be Specific. Use additional sheets if necessary. Please attach documentation (emails, photos, text messages, etc.) if available.

[Redacted]

**Resource Referral Information:**

To whom or what resources has the alleged victim(s) been referred?

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Counseling Center         | <input checked="" type="checkbox"/> Dean of Students | <input checked="" type="checkbox"/> Women's Resource Center |
| <input checked="" type="checkbox"/> McKinley Health Center    | <input type="checkbox"/> College Office              | <input type="checkbox"/> Student Conflict Resolution        |
| <input type="checkbox"/> UIPD                                 | <input type="checkbox"/> CPD                         | <input type="checkbox"/> UPD                                |
| <input checked="" type="checkbox"/> ODEA/Title IX Coordinator | <input type="checkbox"/> Other _____                 |   |

**Follow Up**

What, if any, steps have you taken (or do you intend to take) following submission of this report. Please check all that apply.

- ☐ Contact Instructors
- ☐ Assist with academic considerations (withdrawal, course load reduction, Incomplete, other)
- ☐ Investigate allegations
- ☐ Pursue charges
- ☐ Issue no trespass order
- ☐ Issue no contact order
- ☐ Provide advocacy or other support
- ☐ Residence hall or room change
- ☐ Arrange full or partial escort service
- ☒ Other *referred to appropriate offices to get assistance with academic considerations & support. scheduled mtg w/ ODEA Sr. director to discuss concerns.*

**Information About Individual Completing Report Form**

Name: Phyllis Tate  
Title: HR Associate  
Department: ODBA  
Phone Number: 3-0885  
Email Address: \_\_\_\_\_

**Please submit this form and all relevant documentation to:**

Office of Diversity, Equity and Access  
100 Swanlund Administration Building, MC-304  
[diversity@illinois.edu](mailto:diversity@illinois.edu)  
FAX (217) 244-9136